



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/369,281	08/06/1999	KIA SILVERBROOK	169.0013-DI	6584

5514 7590 02/14/2003

FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER

NGUYEN, PHU K

ART UNIT	PAPER NUMBER
----------	--------------

2671

DATE MAILED: 02/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/369,281

Applicant(s)

SILVERBROOK, KIA

Examiner

Phu K. Nguyen

Art Unit

2671

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 April 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 84-93 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 84-93 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Phu K. Nguyen
PHU K. NGUYEN
PRIMARY EXAMINER
GROUP 2433

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

Art Unit: 2671

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 84-93 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bantz et al. (US4,679,038) in view of Butterfield et al. (5,509,115).

As per claim 84, Bantz teaches the "method of creating an image" comprising the step of multiple passing the bands to manipulate the image (Bantz, figure 1). It is noted that Bantz does not explicitly teach that the data stored in the bands are "independently compressed" as claimed. However, Bantz' bitmap memory 102 which stores the image bands suggests any step to efficiently store the image in the bitmap memory can be used such as compression for efficiently utilizing the memory space. Furthermore, Lotspiech teaches that storing the image in compressed form to reduce the required memory is well known in the art (see Butterfield, column 12, lines 50-55). Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made, in view of the teaching of Butterfield, to configure Bantz' method as claimed by compressing the stored data before load them into the memory to efficiently save the memory space.

Claim 85 adds into claim 84 the step of compressing and editing the stored image which are well known in a computer graphic system such as Butterfield (column 56, line 56 to column 57, line 35). Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made, in view of the teaching of

Art Unit: 2671

Butterfield, to configure Bantz' method as claimed because the display data can be generated, edited before stored in the memory to provide a desired appearance of displayed image.

Due to the similarity of claims 86-87 to claims 84-85 they are rejected under a similar reason.

Claim 88 adds into claim 86 the decompression of data before the edition process; and then compress the data before store them back in memory which are obvious to any data processing system such as Butterfield's figure 5.

Claim 89 adds into claim 88 that the editing process and its correspondence decompression/compression steps are performed on one band at a time which Butterfield suggests in column 55, lines 20-25.

Due to the similarity of claim 90 to claim 85, they are rejected under a similar reason.

Claims 92-93 add into claim 91 the an intermediate image data memory and a compress memory which Butterfield teaches in RAM 24, internal memories of processors 37 and 29, and frame buffer 55.

Accordingly, the claimed invention as represented in the claims does not represent a patentable distinction over the art of record.

Due to new ground of the rejection cited above, this action has been made NON-FINAL.

Art Unit: 2671

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phu K. Nguyen whose telephone number is (703)305 - 9796. The examiner can normally be reached on M-F 8:00-4:30.

The fax phone numbers for the organization where this application or proceeding is assigned are (703)308-6606 for regular communications and (703)308-6606 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3800.

Phu K. Nguyen
February 10, 2003

Phu K. Nguyen
PHU K. NGUYEN
PATENT EXAMINER
CLASS 2671